IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 649 of 2005

Between:

Nagalla Dubanna, S/o. Pallalu,
R/o. Brahmasamedyam Village, Katrenikona Mandal, East

Godavari District.

... PETITIONER

AND

1 The District Collector, East Godavari District, Kakinada.
2 The Mandal Revenue Officer, Katrenikona Mandal, East

Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue writ or order or direction more particularly in the nature of writ of mandamus declaring the action of the 1st respondent in not taking action on my representation dt. 3.12.2004 in respect of land in an extent of Ac. 3.31 cents in survey No.33/12 of Brahmasamedyam Village, Katrenikona Mandal, East Godavari District is arbitrary, illegal and against the provisions of AP Assaigned lands (Prohibition of transfers) Act 1977, and consequently direct the respondents to restore the land in an extent of Ac.3.31 cents in Survey No.33/12 of Brahmasamedyam Village, Katrenikona Mandal, East Godavari District.

Counsel for the Petitioner: MR.V.NARAYANA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondent in not taking action on the petitioner's representation dated 03-12-2004 in respect of land in an extent of Ac.3.31 cents in S.No.33/12 of Brahmasamedyam Village, Katrenikona Mandal, East Godavari District as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Government Pleader appearing on behalf of the respondents and with their consent, the writ petition is being disposed of at the admission stage.

3. Petitioner claims that a 'D' Form Patta over an extent of Ac.3.31 cents of dry land in Survey No.33/12 of Brahmasamedyam village, Katrenikona Mandal, East Godavari District, was granted in his father's favour by the then Tahsildar, Mummadivaram, and after the death of his father, some persons have illegally occupied the said land along with some other lands and raised Acqua culture and Casurina crop. It is stated that the said land belongs to the Government and the Government granted pattas to many in the year 1980. It is the case of the petitioner that several representations have been filed by him along with some others requesting the respondents to restore the abovementioned lands in favour of the original assignees, the latest being 03-12-2004, but so far no orders whatsoever had been passed on the said representation.

4. Having regard to the facts and circumstances of the case and in view of the fact that the representation of the petitioner dated 03-12-2004 is pending on the file of the first respondent, I deem it appropriate to dispose of the writ petition directing the first respondent, District Collector to consider the said representation of the petitioner and pass appropriate orders thereon, expeditiously, in accordance with law.

The writ petition is accordingly disposed of at the admission stage.

N.V. RAMANA, J

January 25, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

COPY TO:

1 The District Collector, East Godavari District, Kakinada.
2 The Mandal Revenue Officer, Katrenikona Mandal, East

Godavari District.

3 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

4 Two C.D. Copies.